

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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JENNIFER NIN and DIANNE TRITSCHLER,

Plaintiffs,

-against-

**DECLARATION OF  
ARLENE S. ZWILLING**

COUNTY OF SUFFOLK, SUFFOLK COUNTY EXECUTIVE,  
STEVEN BELLONE, SUFFOLK COUNTY POLICE  
COMMISSIONER GERALDINE HART, SUFFOLK  
COUNTY PISTOL LICENSING BUREAU EXECUTIVE  
OFFICER SGT. WILLIAM WALSH, SUFFOLK COUNTY  
COMMANDING OFFICER OF THE PISTOL LICENSING  
BUREAU LIEUTENANT MICHAEL KOMOROWSKI,  
PISTOL LICENSING BUREAU POLICE OFFICER MARC  
SFORZA, TOWN OF ISLIP, ANGIE CARPENTER, TOWN  
SUPERVISOR, DIRECTOR OF AIRPORT SECURITY  
KEVIN BURKE, ISLIP TOWN PERSONNEL DIRECTOR  
ARTHUR ABBATE, AIRPORT COMMISSIONER SHELLY  
LAROSE-ARKEN, SUFFOLK COUNTY PISTOL LICENSING  
BUREAU INVESTIGATOR NICHOLAS LORUSSO and  
SUFFOLK COUNTY POLICE DEPARTMENT DETECTIVE  
SGT. MICHAEL FLANAGAN,

19-cv-1546 (SJF) (AKT)

Defendants.

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Arlene S. Zwilling, an attorney duly admitted to practice before this Court and the  
Courts of the State of New York, affirms as follows under penalty of perjury:

1) I am an Assistant County Attorney in the office of Dennis M. Cohen, Suffolk County  
Attorney, attorney for County defendants in this action pursuant to 42 U.S.C. §1983 brought  
by plaintiffs Jennifer Nin and Diane Tritschler. I submit this Declaration to respond to  
certain assertions made by plaintiffs about the discovery process in their submission in  
opposition to County defendants' Rule 12 (c) motion.

2) Plaintiffs allege that I personally hid from them and the Court that supposed fact that the criminal “charges pending against [plaintiff Jennifer] Nin had been closed.” (p. 7, Plaintiff’s (SIC) Memorandum of Law in Opposition to Suffolk County Defendants’ Motion to Dismiss) (see also ¶3, 5, Declaration of Richard Young ). This statement is demonstrably untrue because there were no charges brought against plaintiff Nin. Moreover, Nin and her counsel were fully aware before bringing this litigation that she was not criminally charged, as evidenced by her repeated statements in the Complaint and Affidavit in Support of Order to Show Cause that she was not charged. Indeed, one of wrongs she alleges on the part of County defendants is that her pistol license was suspended despite that fact that she was not charged with a crime. (¶68, 89, 94, Complaint; ¶40, 56, 60, 61, Affidavit in Support of Order to Show Cause, docket entry no. 1, document no.4).

3) Plaintiffs contend that County defendants have “prolonged the release” of the Police Department’s Internal Affairs Bureau report (p. 1, Plaintiff’s (SIC) Memorandum of Law in Opposition to Suffolk County Defendants’ Motion to Dismiss) (see also ¶8, Declaration of Richard Young ). We have done nothing of the sort and plaintiffs have no basis for making this statement. As of today, the preliminary report has yet to be reviewed by the Police Department’s administration, which must occur before it becomes final and can be released to the County Attorney’s Office.

Dated: Hauppauge, New York  
May 20, 2020

/s/ Arlene S. Zwilling  
Arlene S. Zwilling  
Assistant County Attorney